

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division
In Admiralty**

In the Matter of COEYMAN'S MARINE TOWING, LLC D/B/A CARVER MARINE TOWING as Owner and Operator of M/T Mackenzie Rose, (IMO No. 8968765) her cargo, engines, boilers, tackle, equipment, apparel, and appurtenances, etc., *in rem*, ("M/T MACKENZIE ROSE"), petitioning for Exoneration from or Limitation of Liability in allision with Norfolk and Portsmouth Belt Line Railroad Company Main Line Railroad Bridge (the "Bridge") occurring June 15, 2024 in and about the Elizabeth River, Virginia.

Civil Action No: 2:24-cv-00490

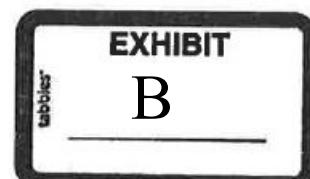
**NORFOLK AND PORTSMOUTH BELT LINE RAILROAD COMPANY'S
SECOND SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS TO
COEYMAN'S MARINE TOWING, LLC D/B/A CARVER MARINE TOWING**

Claimant/Respondent Norfolk and Portsmouth Belt Line Railroad Company ("Belt Line"), by counsel, pursuant to Fed. R. Civ. P. Rules 26 & 34, propounds the following Request for Production of Documents to Defendant/Petitioner Coeymans Marine Towing, LLC d/b/a Carver Marine Towing, Inc. All documents responsive to these requests should be produced at the offices of Crenshaw, Ware & Martin, P.L.C., 150 W. Main Street, Suite 1923, Norfolk, Virginia 23510.

DEFINITIONS

As used herein, the following words have the following meanings:

1. **Belt Line** means the Norfolk and Portsmouth Belt Line Railroad Company, Claimant and Respondent herein.
2. **The Belt Line's Railroad Bridge** means the Norfolk and Portsmouth Belt Line Railroad Company's Main Line Railroad Bridge which crosses the Southern Branch of the Elizabeth River between the cities of Chesapeake and Portsmouth, Virginia.



3. **Document** means anything containing, transmitting, or preserving information of whatever kind or character, whether verbal, pictorial, numeric, or otherwise; and includes, without limitation, drafts, letters, reports, photographs, films, videotape, books, messages, email, text messages (SMS, MMS, RCS, etc.), notes, recordings, electronically stored information (including digital data), optical disks, computer drives, SD cards, sketches, diagrams, etc.

4. **Incident** means the allision with the **Belt Line's Railroad Bridge** of the M/T MACKENZIE ROSE and attached barge WEEKS 281 on June 15, 2024.

5. **Vessel** means the M/T MACKENZIE ROSE.

6. **Barge** means the barge WEEKS 281.

7. **You, your, yours**, and the like mean and refer to Defendant/Petitioner Coeymans Marine Towing, LLC d/b/a Carver Marine Towing, Inc., its management, employees, agents, and counsel, and the person answering these Interrogatories.

REQUEST FOR PRODUCTION

1. Produce **Your** safety management system(s) in effect from January 1, 2020 to present.

RESPONSE:

2. Produce all **documents** relating to **Your** safety and/or training program(s), if any, in effect from January 1, 2020 to present, including all **documents** identifying who received training and when.

RESPONSE:

3. Produce all **documents** relating to James Morrissey's participation in **Your** safety and/or training program(s) from January 1, 2020 to present.

RESPONSE:

4. Produce all **documents** relating to or evidencing disciplinary history of James Morrissey, including but not limited to, any disciplinary actions taken against James Morrissey.

RESPONSE:

5. Produce all "Near Miss Reports" related to the navigation, steering, or autopilot system on the **Vessel** from January 1, 2020 to present.

RESPONSE:

6. Produce all **documents** relating to prior accidents and/or marine casualties involving the **Vessel** within the past 10 years.

RESPONSE:

7. Produce all **documents** relating to prior accidents and/or marine casualties involving James Morrissey within the past 10 years.

RESPONSE:

8. Produce all **documents** relating to or evidencing the repairs and/or work done on the **Vessel** for the period of June 12, 2024 through June 14, 2024, including, but not limited to, **documents** identifying who performed the work and a description of the work done.

RESPONSE:

9. Produce all **documents** identifying or evidencing repairs conducted relating to the navigation, steering, or autopilot system on the **Vessel** from January 1, 2020 to present.

RESPONSE:

10. Produce all **documents** relating to or evidencing any time within the past 10 years that the navigation, steering, or autopilot system on the **Vessel** malfunctioned.

RESPONSE:

11. Produce all **documents** identifying or evidencing training conducted relating to the navigation, steering, or autopilot system on the **Vessel** from January 1, 2020 to present, including who performed it and who received it.

RESPONSE:

12. Produce all **documents** evidencing company rules or protocols in effect from January 1, 2020 to present relating to the use of lookouts on the **Vessel**.

RESPONSE:

13. Produce all **documents** evidencing company rules or protocols in effect from January 1, 2020 to present that identify procedures for testing/inspecting the “Steering System,” “Navigation Equipment,” and “Propulsion Controls/Systems” as described in the Master’s Daily Vessel Reporting forms for the **Vessel**.

RESPONSE:

14. Produce all **documents** evidencing company rules or protocols in effect from January 1, 2020 to present that identify when, how, and/or where **Your** employees must report a collision or allision encountered by the **Vessel**.

RESPONSE:

Dated: February 20, 2025

NORFOLK AND PORTSMOUTH BELT
LINE RAILROAD COMPANY

By: 

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CERTIFICATE OF SERVICE

I certify that on this 20th day of February 2025, I served the foregoing by electronic mail on the following:

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